



May 26, 2009

SENT VIA E-MAIL

Mr. Tom Buford
Development Services Department
City of Sacramento
300 Richards Boulevard, 3rd Floor
Sacramento, CA 95811

**Subject: Natomas Crossing P04-264
SMAQMD # SAC200400124**

Dear Mr. Buford:

Thank you for providing the Sacramento Metropolitan Air Quality Management District (District) with the opportunity to review the draft environmental impact report (DEIR) for this project. Staff comments follow.

Operational Impacts & Project Design

The Air Quality Mitigation Plan (AQMP) for mitigation of operational, criteria pollutant air quality impacts associated with this project has been approved. The AQMP follows the District's *Recommended Guidance for Land Use Emission Reductions* (Guidance), and is fully adequate mitigation for this project's operational air quality impacts.

The Guidance does not currently address positive effects of reduced building setbacks on non-motorized transportation. Nevertheless, pursuant to our comments on the project issued March 9, 2009, the District maintains that design modifications in this vein would considerably improve the project's support of non-motorized travel and associated air quality benefits. These modifications would render the project consistent with the Sacramento Region Blueprint Principles and the City of Sacramento's Draft 2030 General Plan Guiding Principles, cited in our previous comments.

Placing store frontages along East Commerce Way, to reduce their distance from the residential area to the east, would create better pedestrian conditions along East Commerce Way. Some buildings on the site are currently located nearer to Interstate 5, and would be more appropriately located fronting onto East Commerce Way. These buildings have smaller square footages, less than 20,000 square feet, and are suited to neighborhood commercial uses. Neighborhood commercial uses are pedestrian-oriented, including specialty markets, bookstores and eateries. Fronting these stores onto East Commerce Way would significantly improve their pedestrian access from the residential area to the east.

Reducing the distance between these buildings and the adjacent residential uses promotes the use of non-motorized travel. Non-motorized travel requires shorter distances than motorized travel to be feasible; and placing an expanse of parking lot between these destinations and adjacent residential uses will likely encourage driving to access them. Further, fronting these smaller buildings onto East Commerce Way would help define the street as a pedestrian space by linking it with the stimulus and convenience of accessible destinations, rather than an expanse of parking lot.

Air Quality Mitigation Plan (AQMP)

Mitigation measure 4.4-3 indicates that the AQMP for the project has not yet been approved. Since the DEIR has been issued, the District has approved an AQMP for the project. Mitigation Measure 4.4-3 in the Final Environmental Impact Report (FEIR) text should be rewritten to reflect this approval, and compliance with the AQMP should be a mitigation measure for the project.

Toxic Air Contaminants (TACs)

The District's Recommended *Protocol for Evaluating the Location of Sensitive Land Uses Adjacent to Major Roadways* (Protocol) applies to this project because it includes parcels holding sensitive land uses, such as the hospital, located adjacent Interstate 5. The inclusion of the spreadsheet and schematic in the Appendix entitled "Screening Human Health-risk Assessment" demonstrates that the proposed hospital, if not located within 200 feet of the near-travel-lane of Interstate 5, does not require a health-risk analysis, according to the Protocol. This information is well-presented, and merits discussion in the section on TACs in the main text of the DEIR. Please include this discussion in the main text of the FEIR, with a TAC screening table that demonstrates the project's risk.

The DEIR includes mitigation measures to plant vegetation (e.g., trees) between proposed onsite land uses and the I-5 corridor, as well as to conduct a health-risk analysis (HRA) if sensitive land uses are proposed within 200 feet of the near-travel-lane of Interstate 5. The District commends these measures.

The DEIR determines that the project is "less than significant" for exposure of sensitive receptors to TACs in connection with these mitigation measures (to plant vegetation and to conduct a HRA if sensitive uses move to within 200 feet of Interstate 5.) This sets a precedent that projects may be considered "less than significant" if they apply these measures, when there is no widely accepted significance threshold for mobile source TACs. While the District commends these measures, we believe that to designate the project as "less than significant" without identifying a significance threshold would be misleading. Instead, these measures can serve as overall air quality mitigation measures, without being directly linked to significance for exposure of sensitive receptors to TACs.

Climate Change

Currently, there are no state or local air district adopted thresholds of significance for project-related greenhouse gasses. Nevertheless, the District recommends methods of addressing climate change found in the California Air Pollution Control Officers Association (CAPCOA)

publication, *CAPCOA CEQA & Climate Change* and the Governor's Office of Planning and Research (OPR) Technical Advisory, *CEQA and Climate Change: Addressing Climate Change through CEQA Review*.

The Natomas Crossing DEIR adheres to these methods by (1) quantifying projected greenhouse gas emissions; (2) addressing the significance of the project's impact on climate change and (3) identifying project alternatives or mitigation measures, if the project is significant. The DEIR quantifies emissions using URBEMIS2007 and other sources, proposes a qualitative threshold of significance, and finds the project less than significant for impacts associated with the generation of greenhouse gasses. The District commends this process, but questions the adequacy of the evidence behind the determination of less than significant.

The DEIR proposes that a project is less than significant if it does not "Conflict with or obstruct implementation of the goals or strategies of the Executive Order S-3-05, the California Global Warming Solutions Act, or the Attorney General's suggested global warming mitigation measures (p. 4.4-39)." In the absence of an adopted threshold of significance, such a qualitative threshold is appropriate. The DEIR, however, does not address the project's compliance with the Executive Order S-3-05 or the California Global Warming Solutions Act; and it does not adequately demonstrate that the project is consistent with the Attorney General's suggested global warming mitigation measures. Consequently, it does not demonstrate the project to be less than significant for impacts associated with the generation of greenhouse gasses. The FEIR could be strengthened in the following ways:

- Table 4.4-14, listing the Attorney General's suggested global warming mitigation measures, frequently references PUD Guidelines in Appendix C to demonstrate the project's compliance. The PUD Guidelines are not included in the paper copy of the DEIR and they do not appear to be available in the electronic copies of the Appendix. If the PUD Guidelines are necessary to demonstrate the project's compliance with the Attorney General's measures, they should be provided in the FEIR or its appendices. Table 4.4-14 should cite specific features of the PUD Guidelines that satisfy the Attorney General's measures.
- The DEIR indicates that the City evaluates projects on their ability to comply with "project-applicable strategies currently identified by the CARB [California Air Resources Board] (p 4.4-39)." CARB promulgated proposed performance standards to be used as thresholds of significance in December 2008 (enclosed). The FEIR should include a discussion of the project's compliance with these standards.
- The project does not fully comply with the Attorney General's measure to "Include mixed-use, infill, and higher density in development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods." Complying with the District's recommended design modifications would help the project comply with this measure.

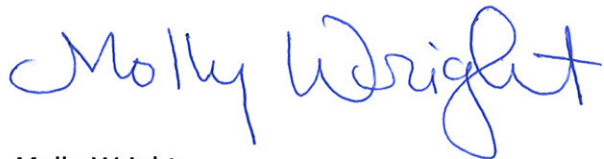
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- Some of the Attorney General's measures are not currently an intrinsic part of the project, for example the measure to install alternative energy systems, and the measure to provide information on energy management services for large energy uses. These measures would be appropriate as mitigation measures for the project, so that they could be monitored. All mitigation measures should be easily monitored and enforceable.
- The DEIR determines that this project is "less than significant" for cumulative impacts related to greenhouse gas emissions, without providing mitigation measures. The FEIR should fully prove that the project is "less than significant," according to its own criteria, before making this determination. Mitigation measures, such as those listed above, would be appropriate to help reduce greenhouse gas emissions impacts for this project.

Thank you for your attention to our concerns. If you have questions about these comments, please contact me at 916-874-4886 or mwright@airquality.org.

Sincerely,



Molly Wright
Air Quality Planner/Analyst

Cc: Larry Robinson, Program Coordinator, SMAQMD

Enc: CARB Proposed Thresholds of Significance for Residential / Commercial Projects

CARB Proposed Threshold of Significance for Residential/Commercial projects:

Construction:

- Provide alternative transportation mode options or incentives for workers to and from worksite on days that construction requires 200 or more workers and
- Recycle and or salvage at least 75% of non-hazardous construction and demolition debris by weight (residential) or by weight and volume (commercial) and
- Use recycled materials for at least 20% of construction materials, based on costs for building materials, based on volume for roadway, parking lot, sidewalk and curb materials. Recycled materials may include salvaged, reused, and recycled content materials.

Energy

- Meet CEC's voluntary Tier II Energy Efficiency standards in effect at time building construction begins. The standards are those needed to qualify for solar energy incentive programs. Currently, 30% reduction in combined space heating, cooling and water heating energy compared to 2008 Title 24 standards.

Water

- Reduce indoor potable water use by at least 20%. Reduce outdoor potable water use for landscape irrigation by at least 50%. Benchmark for comparison: water use levels projected by application of methodology in CA Green Building Code, Section 603.2 (for indoor) and 604.2 (for outdoor).

Waste

- Where local recycling and or composting programs exist: design facilities and structures to encourage participation in program; and install adequate, accessible recycling and composting receptacles in common or public areas; and provide easy access to central recycling and composting receptacles or collection areas.

Residential Transportation

- Demonstrate that average vehicle miles traveled per household per year (VMT/hh-yr) is projected not to exceed 14,000 VMT/hh/yr. This represents a carbon-efficient, compact development with close proximity to transit and variety of services.

Commercial Transportation

- Meet the following proximity and design elements: ½ mile of residential zone or neighborhood with average density of at least 10 du/net acre; and ½ mile of at least 10 neighborhood services; and pedestrian access between project and services; and institute comprehensive transportation demand management (TDM) program to reduce employee trips by at least 20%.

OR- equivalent mitigation

AND

The project, with performance standards or equivalent mitigation will emit no more than X metric tons CO₂e/yr. CARB is asking should there be an X?